

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JORGE LANDAVERDE, on behalf of himself,
individually, and on behalf of all others
similarly-situated,

Docket No.: 20-cv-00563 (PK)

Plaintiff,

-against-

DVA CONTRACTING CORP. d/b/a DISANO
CONSTRUCTION CO., and DNO EQUIPMENT
AND DEVELOPMENT INC. d/b/a DISANO
CONSTRUCTION CO., and PIETRO
OPPEDISANO, individually,

Defendants.

**JOINT STIPULATION REGARDING FINAL FUNDING OF
CLASS ACTION SETTLEMENT**

This Joint Stipulation Regarding Final Funding of Class Action Settlement (“Joint Stipulation”) is entered into by and between Named Plaintiff JORGE LANDAVERDE, on behalf of himself, individually, and on behalf of the settlement class of similarly-situated individuals whom Named Plaintiff represents, on the one hand, and Defendants DVA CONTRACTING CORP. d/b/a DISANO CONSTRUCTION CO., and DNO EQUIPMENT AND DEVELOPMENT INC. d/b/a DISANO CONSTRUCTION CO., and PIETRO OPPEDISANO, individually, on the other hand, (Named Plaintiff and Defendants, together, as “the Parties”).

This Joint Stipulation supersedes and replaces the Addendum to Joint Stipulation of Class Action Settlement and Release, which the Parties filed with the Court on April 12, 2023, ECF 44, which itself replaced and superseded paragraph 9.1(B)(i) of the Joint Stipulation of Class Action Settlement and Release, which the Parties filed with the Court on October 25, 2022, ECF 40-1.

Pursuant to this Joint Stipulation, and as discussed on the record at the Final Approval Hearing held on January 18, 2024, Defendants, who have already paid \$350,000.00 into the Qualified Settlement Fund (“QSF”), will pay the remaining \$278,127.05 needed to fully fund the QSF according to the following schedule: \$75,000.00 by on or before March 15, 2024; \$75,000.00 by on or before April 15, 2024; \$75,000.00 by on or before May 15, 2024; and \$53,127.05 by on or before June 15, 2024.

In the event that the Court enters its Final Approval Order prior to any of the payment deadlines set forth in the prior paragraph, the Parties agree to the Court exercising its continuing jurisdiction over all matters pertaining to the Class and Collective Action Settlement, including but not limited to the funding thereof and the terms of this Joint Stipulation, and agree that the Court has the authority to enter judgment against Defendants in the event of non-payment.

Borrelli & Associates, P.L.L.C.

By: 

Alexander T. Coleman, Esq.
As Named-Plaintiff's/Class Counsel

Dated: 1/18/2024

Law Offices of James L. Iannone, Esq.

By: 

James L. Iannone, Esq.
As Defendants' Counsel

Dated: 1/18/24